

#37

JUN 14 2012



MEMORANDUM **Transportation & Development – CC Memo No. 12-056**

DATE: MAY 22, 2012

TO: MAYOR AND CITY COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
 PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *[Signature]*
 R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *[Signature]*
 JEFF KURTZ, PLANNING ADMINISTRATOR *[Signature]*
 KEVIN MAYO, PLANNING MANAGER *KM*

FROM: BILL DERMODY, SENIOR CITY PLANNER *BD*

SUBJECT: ZUP12-0007 DESERT SPRING ADULT CARE

Request: Use Permit approval to continue to operate an adult care home within a single-family residence for up to five (5) adults

Location: 1641 E. Yellowstone Place, south and west of Ocotillo and Cooper Roads

Applicant: Viorica Sana

Zoning: Planned Area Development (PAD)

RECOMMENDATION

Planning Commission and Staff, finding consistency with the General Plan, recommend approval subject to conditions including a time limit of five (5) years.

BACKGROUND

The subject site received approval in April 2008 for one (1) year to operate an adult care home for up to five (5) adults, and was extended for three (3) years in May 2009. The subject site is located in the Cooper Corners single-family residential subdivision near the southwest corner of Cooper and Ocotillo Roads that was built-out primarily in 2004 and 2005. From 2005 to 2008, the applicant provided care for four (4) adults. Because the applicant's family lives on-site, the

increase to five (5) adults being cared for exceeds the Zoning Code definition of “family” and requires a Use Permit.

The 4,200 square foot home located on a corner lot has two floors with seven (7) bedrooms. The adult care residents occupy the main floor, which has four (4) bedrooms and three (3) full bathrooms (the floor plan’s “powder room” has added a shower since construction). The homeowners (a couple and their son) who operate the facility live in the basement. Besides the homeowners, there are no other employees.

The subject site was denied a Use Permit in 2005 for an adult care home with up to eight (8) residents.

DISCUSSION

Planning Commission and Staff find the proposed use to be compatible with the surrounding neighborhood. There has been no neighborhood opposition with regard to traffic, noise, or any other land use effects. As a corner lot, there is plenty of parking adjacent to the house without using space in front of other residences. This adult care home has had effects similar to a typical single-family home at this location.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on May 9, 2012 at the Downtown Community Center. No neighbors attended.
- At the time of this writing, Staff is not aware of any opposition to the request.

PLANNING COMMISSION VOTE REPORT

Motion to approve:

In Favor: 7 Opposed: 0

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval of ZUP12-0007 DESERT SPRING ADULT CARE subject to the following conditions:

1. The Use Permit shall be granted for a period of five (5) years, at which time re-application shall be required. The five-year time period shall begin from the date of City Council approval.
2. Compliance with city provisions regarding the operation of adult care homes.
3. The maximum number of residents receiving care shall be five (5).

PROPOSED MOTION

Move to approve ZUP12-0007 DESERT SPRING ADULT CARE subject to the conditions recommended by Planning Commission and Staff.

CC MEMO 12-056

May 22, 2012

Page 3 of 3

Attachments

1. Vicinity Maps
2. Site Plan
3. Floor Plan
4. Applicant Narrative

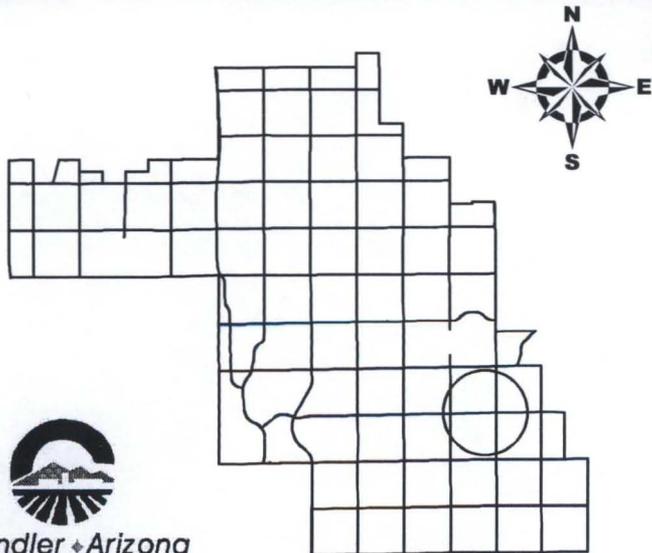


Ocotillo Rd.

Cooper Rd.

Project Site

Vicinity Map



ZUP12-0007

Desert Spring Adult Care Home

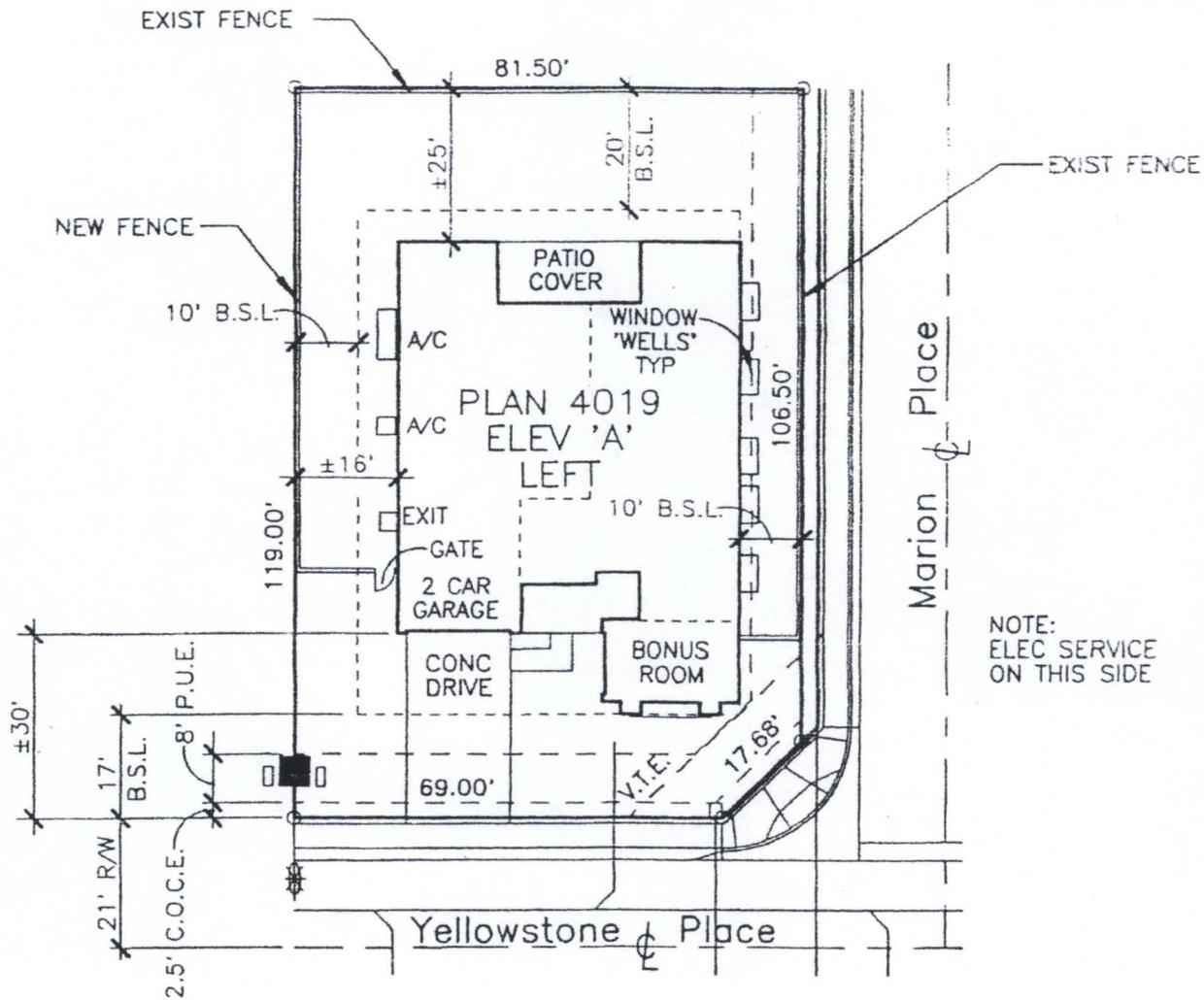
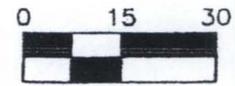


Chandler ♦ Arizona
Where Values Make The Difference

CITY OF CHANDLER 3/23/2012

LOT NO: 11 DATE: 6-27-04
 SUBDIVISION: COOPER CORNERS WEST
 ADDRESS: 1641 EAST YELLOWSTONE PLACE

SCALE: 1" = 30.00'



NOTE:
 ELEC SERVICE
 ON THIS SIDE

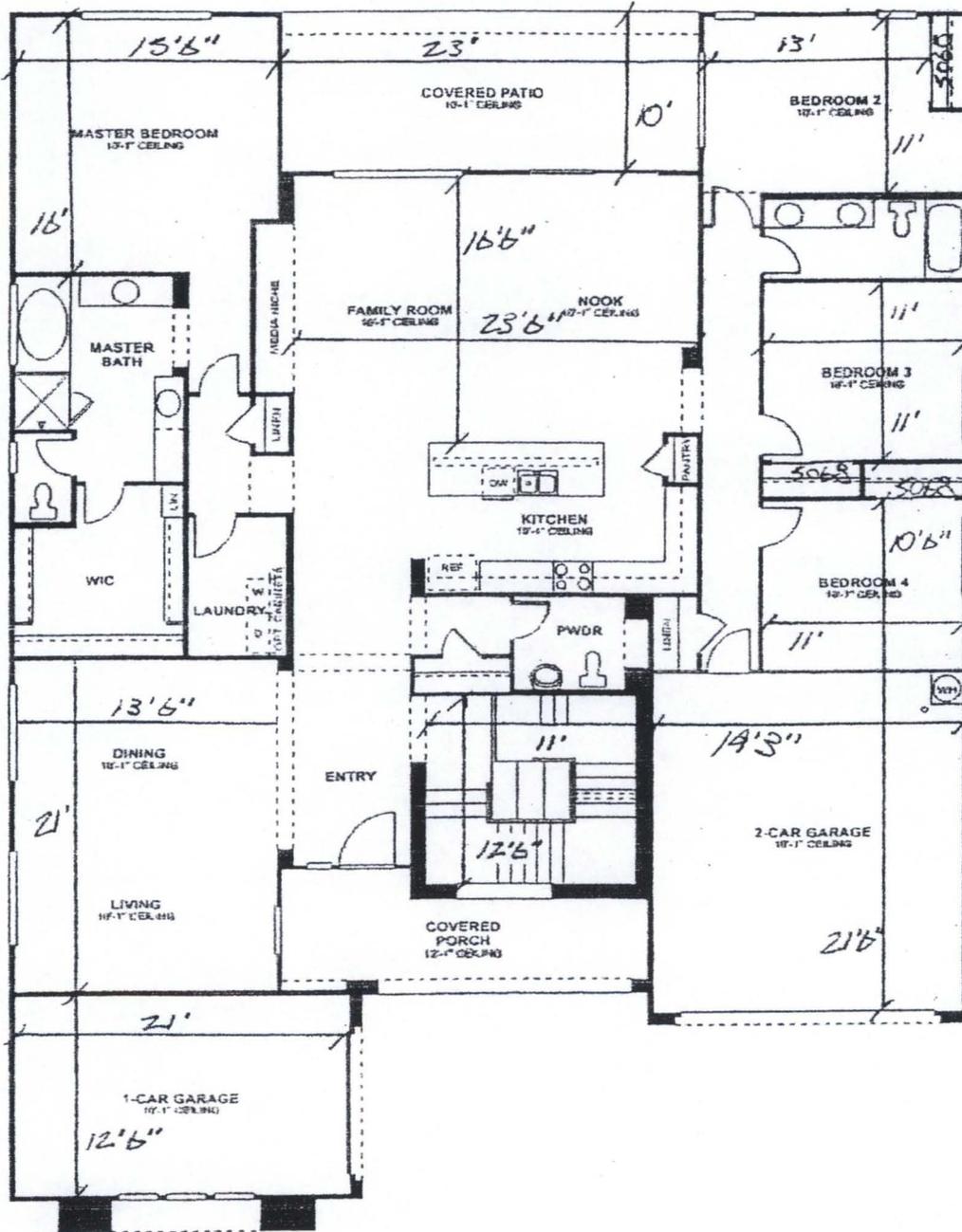
LEGEND

- B.S.L. BUILDING SETBACK LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- V.N.A.E. VEHICLE NON-ACCESS EASEMENT
- C.O.C.E. CITY OF CHANDLER EASEMENT
- V.T.E. VISIBILITY TRIANGLE EASEMENT
- S/W SIDE WALK
- C & G CURB & GUTTER
- FIRE HYDRANT
- STREET LIGHT
- ELECTRICAL TRANSFORMER

NOTE:
 BUILDING SETBACKS, FENCE LINES, AND PAD SIZE MAY VARY
 BASED ON EXISTING FIELD CONDITIONS. ALL MEASUREMENTS,
 ORIENTATION, AND UTILITY LOCATIONS ARE APPROXIMATE AND
 SUBJECT TO FIELD CHANGE AND VERIFICATION BY SUPERINTENDENT.

FOOTPRINT: 3719 S.F. PARCEL # 303-91-121
 LOT: 9620 S.F. FENCE: ±80 L.F.
 COVERAGE: ±38% FIN FLR = 39.53

FULTON HOMES 9140 SOUTH KYRENE, SUITE 202, TEMPE, ARIZONA 85284 480-753-6789



This brochure represents the plan with the following options selected:

- 1) Basement Stairs

Note - Floor plan is "flipped" - see site plan.

March 6th, 2012

Dear Sir, or Madam,

My name is Viorica Sana and together with my spouse Nicholas Theodoresco, we own the property located at 1641 E Yellowstone Place, Chandler AZ 85249 where we operate an adult care home since 2005. In 2008 we obtained a Use Permit for five (5) residents receiving care, excluding our family. The Use Permit was granted for a period of one (1) year. In 2009 we obtained a Use Permit for five (5) residents receiving care, excluding our family, which was granted for a period of three (3) years. This Use Permit is going to expire in May 2012. The reason of the current application in 2012 is to obtain a Use Permit to continue operating the care home for five (5) residents receiving care, excluding our family. The house has seven (7) bedrooms, four of which are used for residents and three for our family. The four bedrooms at the first floor are used for residents.

The bedroom sizes are:

MB 15' 6" x 16'

B2 13' x 11'

B3 11' x 11'

B4 11' x 10'6"

We run this care home ourselves and we do not have any hired people. I would like to mention that since we opened this care home in 2005 we never caused any traffic disturbances, noise, smell, we did not have any violations and we never had any complaints of disturbing our neighbours in any way.

Thank you for considering this request,

Respectfully,

Viorica Sana

